

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
GARDEN CITY BOXING CLUB, INC.

Plaintiff 07 CV 8753

-AGAINST-

TENTACIONES POBLANAS RESTAURANT, INC.  
d/b/a TENTACIONES MEXICANAS RESTAURANT  
and UBALDO GUERRERO

**AFFIDAVIT FOR JUDGMENT**  
**BY DEFAULT**

Defendant  
-----X

STATE OF NEW YORK     )  
                                  )     ss:  
COUNTY OF NEW YORK    )

Paul J. Hooten, being duly sworn, deposes and says:

I am a member of the Bar of this Court and am associated with the  
firm of Paul J. Hooten & Associates, attorney for plaintiff in the above-entitled action and I am  
familiar with all the facts and circumstances in this action.

1. I make this affidavit pursuant to Rule 55.1 and 55.2(a) of the Civil  
Rules for the Southern District of New York, in support of plaintiffs application for the entry of a  
default judgment against defendant.

2. This is an action to recover the unauthorized exhibition of the telecast  
of the November 27, 2004, boxing match between Erik Morales and Marco Antonio Barrera III  
by the defendant. See attached summons and complaint attached hereto as Exhibit "A".

3. This action was commenced on October 10, 2007 by the filing of the summons and  
complaint. A copy of the summons and complaint was served on the defendant Tentaciones  
Poblanas Restaurant Inc. d/b/a Tentaciones Mexicanas on December 6, 2007 by service on Carol

Vogt, Clerk Authorized to Accept in the office of the Secretary of State of New York. The defendant has not answered the complaint and the time for the defendant to answer the complaint has expired.

4. This action seeks judgment in the amount of \$20,000.00, plus interest at 9% from November 27, 2004, amounting to \$6,150.00, plus costs and disbursements of this action in the amount of \$470.00 amounting in all to \$26,620.00.

WHEREFORE, plaintiff requests the entry of Default and the entry of the annexed Judgment against defendant.

Dated: Mt. Sinai, New York  
May 5, 2008

/s/ Paul J. Hooten  
Paul J. Hooten (PJH9510)

Sworn to before me this  
5<sup>th</sup> day of May, 2008

/s/ Cheryl E. Lorefice  
Notary Public

Cheryl E. Lorefice  
Notary Public, State of New York  
No. 4999823  
Qualified in Suffolk County  
Commission Expires August 3, 2010